



The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

April 5, 2010

Farm Service Agency, USDA
c/o TEC
11817 Canon Blvd., Suite 300
Newport News, VA 23606

Dear Farm Service Agency:

Following are the comments from the Wyoming Department of Agriculture (WDA) on the draft Supplemental Environmental Impact Statement (SEIS) for the Conservation Reserve Program (CRP).

Our comments are specific to our mission within state government: dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this proposal has major impacts upon our agriculture industry, our natural resources and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions and provide us the opportunity to express pertinent issues and concerns.

The WDA appreciates the Farm Service Agency (FSA) for seeking public comments on CRP. CRP was originally implemented to reduce soil erosion on highly erodible soils. The program has been very successful and is an important conservation tool to many farmers across the United States. The program has also proven to benefit many wildlife species.

The positive benefit to wildlife is, without question. However, we are concerned the United States Department of Agriculture is losing sight of the original intent; to reduce soil erosion. The creation or enhancement of wildlife habitat is a secondary benefit. We are concerned for those farmers who have farmland with highly erodible soils, but no sensitive wildlife species, which are not eligible or as competitive for entering their land into CRP.

WDA is a strong supporter and advocate of CRP in our state. We have contacted our state FSA office and gathered information regarding how CRP is working in Wyoming and what changes, if any we would like to see implemented in the SEIS. Having reviewed the SEIS; we offer the following comments on an individual Provision basis.

Provision 1 (National Conservation Initiatives):

As mentioned above we believe the primary focus of CRP should be to regenerate top soil while reducing soil erosion. We are not opposed to providing and improving habitat for wildlife, but do not support Alternative 1 as the primary focus, which is to create critical wildlife habitat on a larger landscape scale is the primary focus. We support the No Action Alternative which

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adequately benefits vegetation, wildlife and protected species with no significant negative impacts.

Provision 2 (Maximum Enrollment):

We support each state having the most amount of acreage enrolled in CRP as possible as well as also having local authority to designate which lands will have the highest probability of soil erosion while maximizing secondary benefits. The No Action Alternative and Alternative 1 each set 32 million acres as the maximum acres able to enroll in CRP. Alternative 2 is reduced to only 20 million. We support the No Action Alternative as it authorizes the full 32 million acres with only 4.5 million acres designated as Targeted (Continuous) Signup. The remaining 27.5 million acres is allocated to General Signup which provides the most flexibility and allows state offices to make the best decisions at the local level.

Provision 3 (Alfalfa Crop History):

We believe Alternative 1 and 2 are both too restrictive by requiring alfalfa rotations with traditional commodity crops within 8 and 12 year intervals respectively. Although both of these alternatives provide eligibility on lands with commodity crops in the intervals and have the ability to reduce soil erosion, we support the No Action Alternative. The No Action Alternative reduces soil erosion while recognizing and retaining the value of alfalfa as an agricultural commodity and an appropriate crop rotation for CRP eligibility.

Provision 4 (County Acreage Limitation Exception):

Alternatives 1 and 2 exhibit more localized decision making ability by county government to exceed the 25% total county cropland enrolled in CRP, but only in Continuous Signup or Conservation Reserve Enhancement Program (CREP). Alternative 2 has the additional restriction of limiting this increase by no more than 50%. While we like the ability of local government having a voice, we support the No Action Alternative to increase enrollment beyond the 25% in more specialized cases.

Provision 5 (Conservation Plan Management):

The WDA believes management of CRP approved through the Conservation Plans is not only beneficial to the stands of vegetation, but also to the wildlife using the CRP as habitat. Decadent stands of vegetation prove negative in many instances to wildlife. Management of the vegetation mid-contract should have little to no negative impact to the vegetation or soil and will increase productivity for forage production if grazed in the three year period or hayed during the five year period. We support the No Action Alternative as the mid-contract management of the CRP. This is cost shared at 50% and is only required in areas decided on at the local level where the management action has a benefit to the vegetation in a CRP stand. Alternatives 1 and 2 provide the opportunity to determine if the management is necessary and is included in an approved Conservation Plan. However, neither of these alternatives guarantees a cost share for the management practices and decisions are not made at the local level.

Provision 6 (Harvesting CRP):

We strongly support the ability to use grazing and haying as a scientifically proven method to manage vegetation and lands enrolled in CRP. We also support grazing to occur at least every 3

years and haying to occur at least every 5 years. Additionally, in special circumstances such as drought, CRP is an economically viable option for livestock producers to graze to reduce long term damage to other grazed pastures. We are concerned kudzu is the only weed mentioned for limited grazing in No Action Alternative. However, we still support the No Action Alternative for Provision 6. Regarding Alternatives 1 and 2, the additional requirement of National Environmental Policy Act (NEPA) is unwarranted, costly and untimely in instances such as drought.

Provision 7 (NASS Cash Rental Rates):

It is concerning the incentives for maintenance in the General Signups has been reduced to zero. We believe this reduction from as high as \$5 per acre at one time to the current of \$0 may cause some landowners to not participate in CRP. If their land fails to fall in the Targeted Signup areas, the decrease in General Signups will cause an adverse impact to the soils as well as wildlife. We do not support any of the three alternatives, but instead insist on reevaluating the maintenance rates for General Signups.

Provision 8 (Socially Disadvantaged Farmer/Rancher Incentives):

The small percentage of “socially disadvantaged farmers” according to FSA definition simply lacks or warrants the additional analysis for Provision 8. We support the No Action Alternative which continues the ability of beginning and limited resource farmers, ranchers, and Indian Tribes to participate in conservation programs.

Provision 9 (Pollinator Conservation):

While the WDA strongly supports the apiary industry we do not support the additional implementation of Pollinator Habitat in Alternative 1 as it is not only unnecessary, but does not meet the original intent of CRP, which was soil conservation. We believe the inclusion of plant species in Alternative 2 is beneficial; we do not support the mandatory inclusion of these species into a CRP contract. We support the No Action Alternative as the NRCS conservation practice standards and technical guides to reduce impacts of herbicides or haying during peak pollination period is adequate. The vegetative species planted in CRP are not only adequate but appropriate for the pollinators native to these areas.

We thank you for the opportunity to provide our comments regarding the CRP SEIS and look forward to the future implementation of the program on farmlands across the United States. If we can be of further assistance please feel free to contact us.

Sincerely,



Jason Fearneyhough
Director

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Cc: Governor's Planning Office
WDA Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Rocky Mountain Farmers Union
Wyoming Association of Conservation Districts
Wyoming Farm Bureau Federation
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